

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD AUGUST 18, 2015 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Dan Lawes, Kelvin Green, David Pack, Zach Jacob, and Bill Heiner. Josh Suchoski and Matt Quinney were excused.

STAFF: Scott Langford, Ray McCandless, Nannette Larsen, Nathan Nelson, Robert Thorup, and Julie Davis

OTHERS: L. Brent Milne, Hugo Castro, M. Taylor, Allen McCandless, Scott Wagstaff, Trent Saxton

The briefing meeting was called to order by Dan Lawes. The agenda was reviewed and clarifying questions were answered regarding a waiver to the sidewalk requirement along Prosperity Road. Screening options and similar approvals for street-facing bay doors were discussed.

The regular meeting was called to order at 6:00 p.m.

1. Consent Calendar
Approve Minutes from August 4, 2015

MOTION: David Pack moved to approve the minutes from August 4, 2015 as contained in the staff report. The motion was seconded by Zach Jacob and passed 5-0 in favor. Josh Suchoski and Matt Quinney were absent.

2. South Valley Regional Airport Rezone; approximately 6200 South – 7800 South Airport Road; Rezone 738.694 acres from P-F (Public Facilities) Zone to A-SP (Airport Special Purpose) Zone; City of West Jordan (applicant) [#ZC20150002; parcels 21-19-400-008+]

Scott Langford said the City Council adopted the A-SP zone in October 2014, which involved collaboration with Salt Lake City Department of Airports to make sure the new zone was in concert with their vision and our vision of the area. At this time we are making it official on the zoning map.

Staff recommended that the Planning Commission accept the findings contained in the staff report and forward a positive recommendation to the City Council for the proposed Zoning Map Amendment.

Kelvin Green asked how this new zoning is specifically different than the P-F zoning.

Ray McCandless explained that the P-F zone is for public facilities and institutional kinds of uses. The A-SP district allows for a wider variety of uses that are more specific to airports. Also, uses such as hospitals that are not consistent with airports are allowed in the P-F zone but not in the A-SP zone.

Dan Lawes opened the public hearing.

Allen McCandless, Planner and Environmental Specialist for Department of Airports, stated that they have been working with staff for some time. This zone will allow more aeronautical and aviation types of uses, where the Public Facilities zone had uses that were not compatible with aviation activities. They are comfortable with the list of uses and the FAA also prefers to have airports within their own

zones to better manager aeronautical uses on the airport now and in the future. He also referred to a letter of support dated May 19, 2015 sent to staff from Maureen Riley, Airport Director.

Further public comment was closed at this point for this item.

MOTION: David Pack moved based on the findings set forth in the staff report and upon the evidence and explanations received today to forward a positive recommendation to the City Council to rezone the South Valley Regional Airport property; 7001 South Airport Road; City of West Jordan (applicant) from P-F (Public Facilities) to A-SP (Airport Special Purpose) zoning district. The motion was seconded by Dan Lawes and passed 5-0 in favor. Josh Suchoski and Matt Quinney were absent.

3. Taffy Town; 9813 South Prosperity Road; Preliminary Site Plan; M-1 Zone; AE URBIA (applicant) [#SPCO20150017; parcel 26-11-302-001; 326-001, 002]

Trent Saxton, AE URBIA, said the request is for a candy manufacturing facility. They will be using trees that are better suited for screening of the docks. He explained that the dock will be nine feet above the road, which will act as natural screening as well and the trees will help to obstruct the view. He explained the location, materials, and approximate size of the landscape island in the parking area along 6150 West. Additional trees are shown along that street.

Nannette Larsen said the site is surrounded on three sides with rights-of-way and the lot isn't very deep, so the only option was to locate the bay doors on the east side. Staff found that screening is sufficient for the site plan with the conditions.

Based on the positive findings of fact in the staff report, staff recommended that the Planning Commission grant Preliminary Site Plan approval for Taffy Town site plan located at 9813 South Prosperity Road in an M-1 zoning district, with the conditions of approval as listed below.

1. The proposed development shall meet all applicable Subdivision and Zoning Ordinance requirements found in Titles 13 and 14 of the City Code.
2. The final site plan must meet all requirements of the Engineering and Fire Departments.
3. Approval of a Preliminary Site Plan shall become null and void upon one year of the date of approval.
4. Bingham Business Park 2nd Amended Subdivision must be recorded prior to Final Site Plan approval.
5. Upon waiver of the sidewalk improvements along Prosperity Road, the current or future property owners agree to not protest the establishment or participation of a future Special Improvement District (SID).

Zach Jacob asked if the city has a long-term plan for a special improvement district for sidewalks in this area.

Scott Langford understood that it isn't on the 6-year capital facilities project list. However, times change and there may be a future need for a sidewalk along Prosperity Road, but they don't foresee it at this time.

David Pack pointed out that there is latitude for the Planning Commission in determining if the landscaping is sufficient. He asked if the code requires a minimum caliper of tree.

Nannette Larsen said it is 1-1/2 inches.

Kelvin Green asked if the agreement not to protest a future SID could be recorded with the County on the subdivision plat as notification to future property owners.

Dan Lawes asked how that can bind any future owner.

Scott Langford said they can record a document that will show up on a title report. He asked legal staff if there was any other way to alert future property owners.

Robert Thorup didn't think they could bind future property owners, rather the law would require notification and then to seek their consent at that time. The current owners will be bound, but we can't bind someone that they don't know in the future. The city can't make that a covenant that runs with the land, but the property owner may.

There was some concern regarding the possibility of removing mature landscaping if the sidewalk is required along 6150 West in the future. It was pointed out that the sidewalk waiver for this site plan is along Prosperity Road. Nathan Nelson said a future sidewalk in this area would have to be a high priority for the city in order to overshadow all other sidewalk projects, which he didn't see happening. But if they needed to install one, the city would use design considerations in an attempt to place the sidewalk away from any mature trees and to not interfere with other features like the detention pond.

Zach Jacob said there may be other reasons to implement a special improvement district, so he would like to amend condition #5 so it specifically applies to sidewalks.

Dan Lawes opened the public hearing.

Further public comment was closed at this point for this item.

MOTION: Kelvin Green moved based on the findings set forth to approve the Preliminary Site Plan for Taffy Town; 9813 South Prosperity Road; AE URBIA (applicant) with conditions 1 through 5, amending:

- 5. Upon waiver of the sidewalk improvements along Prosperity Road, the current or future property owners agree to not protest the establishment or participation of a future Special Improvement District (SID) for sidewalk improvements. The agreement will be filed with the plat.**

The motion was seconded by Zach Jacob.

There was a brief discussion regarding the need to record the document if it isn't binding on future property owners. The purpose is to serve as notice that they may have to help pay for sidewalks at some point.

VOTE: The motion passed 5-0 in favor. Josh Suchoski and Matt Quinney were absent.

4. Holiday Oil; 2730 West 7800 South; Preliminary Site Plan; C-G (ZC) Zone; Holiday Oil/Scott Wagstaff (applicant) [#SPCO20150018; parcel 21-28-378-038, 041]

Scott Wagstaff, applicant, said they are excited to move forward with construction of a new Holiday/Chevron station and was available for questions.

Nannette Larsen gave an overview of the proposal to demolish all but the existing car wash to construct a proposed Holiday station that will be an improvement to the businesses at that intersection.

Based on the positive findings of fact in the staff report, staff recommended that the Planning Commission grant Preliminary Site Plan approval for Holiday Oil located at 2730 West 7800 South in a C-G (ZC) zoning district, with the conditions of approval as listed below.

1. The proposed development shall meet all applicable Subdivision and Zoning Ordinance requirements.
2. All changes to the site shall be consistent with the Preliminary/Final Site Plan application and site plan.
3. The final site plan must meet all requirements of the Engineering and Fire Departments.
4. Approval of a Final Site Plan shall become null and void if development does not commence within two (2) years of final site plan approval.

Kelvin Green questioned the provision of only one ADA parking stall.

Scott Wagstaff said they have built this same footprint ten times with only one stall.

Nannette Larsen said one ADA stall per 25 required parking stalls needs to be provided. The site plan exceeds 25 stalls, so technically two are required. However, all of the parking stalls under the fuel canopy are considered to be ADA compliant.

Commissioner Green was concerned that those stalls would be too far away from the building to be considered in the required number.

Some of the other commissioners said they didn't think other similar uses had more than one.

Dan Lawes opened the public hearing.

Further public comment was closed at this point for this item.

MOTION: Zach Jacob moved to approve the Preliminary Site Plan for Holiday Oil; 2730 West 7800 South; Holiday Oil (applicant) with the conditions 1 through 4 as listed. The motion was seconded by Bill Heiner and passed 5-0 in favor. Josh Suchoski and Matt Quinney were absent.

5. **Center Park Drive Residential; continued from July 7, 2015; 6822 S. Center Park Dr.; General Plan Land Use Amendment for 15.10 acres from Professional Office to High Density Residential; P-O Zone; Foursquare Properties (applicant) [#GPA20150001; parcels 21-19-400-007]**

[This item was pulled from the agenda by the applicant. No action was taken.]

MOTION: Kelvin Green moved to adjourn.

The meeting adjourned at 6:29 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2015